

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN HEYKOOP,

Plaintiff,

v.

MICHIGAN STATE POLICE, *et. al.*,

Defendants.

CASE NO. 1:18-CV-632

HON. ROBERT J. JONKER

ORDER

This matter came up for a Rule 16 scheduling conference on August 3, 2018. During the conference, Plaintiff voluntarily dismissed his state law claim (Count V) and Defendant Michigan State Police from the case. Based on all matters of record, and for the reasons the Court stated during the hearing, the Court concludes that dismissal of Defendant Roesler under FED. R. CIV. P. 12(b)(6) is appropriate, but that the federal claims against Defendants White and McIntire may proceed. Accordingly, Defendants' Motion to Dismiss (ECF No. 11) is **GRANTED** to the extent Defendants seek dismissal of Defendant Roesler under FED. R. CIV. P. 12(b)(6); is **DENIED** to the extent Defendants seek dismissal of the federal claims against Defendants White and McIntire; and is **DISMISSED AS MOOT** to the extent Defendants seek dismissal of Defendant Michigan State Police and Plaintiff's state law claim (Count V). Defendant Roesler and the Michigan State Police are **DISMISSED** from the case, as is Count V.

IT IS SO ORDERED.

Dated: August 6, 2018

/s/ Robert J. Jonker
ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE